

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Kelvin Lee Baker,

Case No. 23-CV-03895 (JMB/DTS)

Plaintiff,

v.

**ORDER**

Samantha Ivory; Melvin Mitchell; Dan  
Cortez; Tony; Albert; Davis; and Cain,

Defendants.

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This matter is before the Court on Plaintiff Kelvin Lee Baker's application for in forma pauperis (IFP) status on appeal from the dismissal of this matter. (*See* Doc. No. 10.) The Court has reviewed the IFP application and concludes that Baker qualifies financially for IFP status. The Court also concludes that Baker's appeal is not frivolous for purposes of 28 U.S.C. § 1915(a)(3). Finally, the Court concludes that the document filed by Baker on May 28, 2024, and docketed as a "Letter to the Court" (Doc. No. 8) was intended to act as a notice of appeal, as that document generally identifies the grounds upon which Baker believes the order of dismissal to have been erroneous. Accordingly, Baker's appellate IFP application will be granted, and the Clerk of Court will be directed Baker's "Letter to the Court" as a notice of appeal with a filing date of May 28, 2024.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Plaintiff Kelvin Lee Baker's application to proceed in forma pauperis on appeal (Doc. No. 10) is GRANTED; and
2. The Clerk of Court is directed to re-docket Baker's Letter to the Court (Doc. No. 8) as a notice of appeal with a filing date of May 28, 2024.

Dated: July 11, 2024

/s/ Jeffrey M. Bryan  
Judge Jeffrey M. Bryan  
United States District Court